

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
)	
v.)	Criminal Action No. 20-10130-FDS
)	
ELIJAH BUOI,)	
)	
Defendant)	

ORDER PUSUANT TO 18 U.S.C. § 3006A(f)

July 30, 2020

Hennessy, M.J.

Following submission of a financial affidavit, an amended financial affidavit, and bank statements, and a sealed ex parte hearing on July 29, 2020, the court finds that Defendant Elijah Buoi is currently unable to directly pay the costs required to retain counsel.¹ Accordingly, the court's provisional appointment of the Federal Public Defender is hereby ordered permanent.

However, the court further finds that Mr. Buoi has sufficient resources and income from which he can make payments in the amount of TWO HUNDRED DOLLARS A MONTH (\$200.00) towards a fund that will ultimately be used to partially compensate counsel who are appointed pursuant to 18 U.S.C. § 3006A. Accordingly, pursuant to 18 U.S.C. § 3006A(f), the court hereby orders as follows:

1. By no later than the last business day of each month while this case is pending, and

¹ Counsel noted that the original affidavit contained estimates only and required fine tuning, given that counsel's initial meeting with Mr. Buoi was virtual and abbreviated to accommodate the court's attempt to conduct timely initial appearances virtually in the time of the Covid-19 pandemic.

beginning on August 31, 2020, Defendant shall mail by first class mail or hand-deliver a check for \$200 to the Clerk's Office, U.S. District Court, 1 Courthouse Way, Boston, Massachusetts 02210. The check shall be made payable to "Clerk, U.S. District Court," and on the check shall be noted the docket number of this case, which is 20-10130-FDS, and the words, "CJA payment."

2. Defendant shall provide timely proof to his supervising probation officer at the Pretrial and Probation Services Department each month until this matter is concluded that a check in compliance with this order has been mailed or hand-delivered.
3. Defendant may, by motion, seek modification of this order based on changed circumstances.
4. The Clerk's Office is directed to mail a copy of this order to Defendant at the address appearing on the Pretrial Services Report by certified mail, return receipt requested, and shall forward copies of the order to the Pretrial Services and Probation Department and the court's accounting department.
5. If Mr. Buoi's business resumes operation and he has three consecutive months of income of \$8,000 or more, then on the first business day following such three consecutive months, Mr. Buoi shall file ex parte and under seal an amended financial affidavit.
6. This order is subject to Section 210.40.30(d) of the CJA Guide authorizing a court to order in appropriate cases a defendant to pay for some or all costs of representation. See CJA Guide at § 210.40.30(d).
7. Mr. Buoi's motion to vacate my order requiring a supplemental financial affidavit is GRANTED.

This order shall be an added condition of Defendant's release pending trial. Failure to comply

with any portion of this order may result in revocation of the court's appointment of counsel.

It is so ordered.

/s/ David H. Hennessy
David H. Hennessy
U.S. Magistrate Judge